

Q



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/378,969	08/23/1999	ROBERT B. HAVEKOST	F0467/7006(W	9703

7590 10/22/2002

WILLIAM R MCLELLAN  
C O WOLF GREENFIELD AND SACKS PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 022102211

EXAMINER

HARRISON, CHANTE E

ART UNIT PAPER NUMBER

2672

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Q

**Office Action Summary**

Application No.

09/378,969

Applicant(s)

HAVEKOST ET AL.

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 12 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This action is responsive to communications: Amendment B, filed on 8/12/02.

***This action is made FINAL.***

2. Claims 1-24 are pending in the case. Claims 1,9,14,17 and 23 are independent claims. Claims 1 and 9 have been amended.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 8-12 and 14-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson, U.S. Patent No. 5,257,206. Applicants claimed invention is displaying a trend chart of a selected process during a selected time window based on user defined trend chart configuration and displaying an event table containing information describing events occurring to the selected process during the selected time window. Hanson displays a trend chart in figures 6-8 and 15-18 during a selected time window, column 8 lines 22-26, and displays an event table, alarm described at column 9 lines 45-56 and shown in figures 6 and 7 or table shown in figure 8, for the selected time window.

Art Unit: 2672

3. Claims 1, 3-5, 9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Murphy et al., U.S. Patent No. 5,768,148. These claims do not require the trend chart and the event table to be displayed on the display screen such that the user can view both the trend chart and the event table at the same time.

***Response to Arguments***

1. Applicant's arguments filed 8/12/02 have been fully considered but they are not persuasive.

Applicant argues Hanson's alarm shows statistical analysis information and is not an event table describing process events and that Hanson's disclosure of text in Figure 8 is not an event table describing process events (p. 4, Para 1).

Hanson teaches generating a control chart from historical data (col. 8, ll. 38-42). The disclosed chart contains event type, time interval and various parameters (Fig. 3 "335"), which corresponds to Applicant's event table describing process events. The statistical analysis disclosed by Hanson relates to displaying histogram plots of historical data, which results in the display of historical trend data (Fig. 7).

Applicant argues Hanson fails to disclose a graphical user interface with a display area for a trend line and a display area for displaying information representative of a process event (p. 5, Para. 1).

Hanson teaches displaying a graph representing data values along with varying parameters that are relative to the displayed graph. Hanson teaches displaying the graph and the corresponding parameter information in two different areas on the display

(Fig. 8). Hanson teaches the charts generated through an application interface (col. 15, ll. 30-36).

Applicant argues Hanson fails to simultaneously displaying trend data and a table representing a portion of the event records (p. 5, Para. 3).

Hanson teaches simultaneously displaying a portion of the event records and trend data (Fig. 8).

Applicant argues Murphy waveform capture module for viewing an analysis of waveforms is different from a trend chart which includes values of one or more selected process parameters during a selected time window (p. 6, Para. 1).

Murphy teaches a waveform capture module displaying value data from one, all or a combination of multiple selected parameters (col. 12, ll. 8-25). Murphy teaches the waveform capture module providing value data related to date and time stamped event strings, which are also provided through a system module (col. 17, ll. 39-50). Therefore the waveform capture module of Murphy corresponds to Applicant's claimed trend chart.

Applicant argues the discloses event logger utility disclosed by Murphy is not an event table containing information describing process events that are related to selected process parameters displayed in a trend chart (p. 6, Para. 1).

Art Unit: 2672

Murphy teaches an event logger module (FIG. 5) relaying time, process, parameter and status data to a system user. The disclosed event logger module includes a utility for categorizing events (col. 11-12, ll. 55-8). The disclosed event logger module provides data that is processed along with the waveform capture module to display selected parameters in a "trend chart" (col. 17, ll. 39-50). Therefore the event logger module of Murphy corresponds to Applicant's event table.

Applicant argues Murphy fails to disclose or suggest the event logger being viewed on the display screen at the same time as a trend chart (p. 6, Para. 1).

Murphy teaches providing modules with data from various registers (i.e. event logger module, waveform capture module) (col. 17, ll. 39-50) and displaying polled register data in a desired or software generated format (col. 14, ll. 50-55), where the displayed data includes events and data values (Fig. 24).

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2672

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

A handwritten signature in black ink, appearing to read 'M. Razavi', with a long horizontal stroke extending to the right.

**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Chante Harrison** whose telephone number is **(703) 305-3937**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at **(703) 305-4713**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ceh

October 9, 2002

  
**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**